

In the Supreme Court of the State of Idaho

PLANNED PARENTHOOD
GREAT NORTHWEST, HAWAII,
ALASKA, INDIANA, KENTUCKY,
on behalf of itself, its staff,
physicians and patients, and
Caitlin Gustafson, M.D., on behalf
of herself and her patients,

Petitioners,

v.

STATE OF IDAHO,

Respondent,

and

SCOTT BEDKE, in his official
capacity as Speaker of the House
of Representatives of the State of
Idaho; CHUCK WINDER, in his
official capacity as President Pro
Tempore of the Idaho State
Senate; and the SIXTY-SIXTH
IDAHO LEGISLATURE,

Intervenors-Respondents.

PLANNED PARENTHOOD
GREAT NORTHWEST, HAWAII,
ALASKA, INDIANA, KENTUCKY,
on behalf of itself, its staff,
physicians and patients,
and CAITLIN GUSTAFSON, M.D.,
on behalf of herself and her
patients,

Petitioners,

Order

Supreme Court Docket No. 49615-2022

Supreme Court Docket Nos. 49817-2022
and 49899-2022

v.

STATE OF IDAHO; BRAD LITTLE, in his official capacity as Governor of the State of Idaho; LAWRENCE G. WASDEN, in his official capacity as Attorney General of the State of Idaho; JAN M. BENNETTS, in her official capacity as Ada County Prosecuting Attorney; GRANT P. LOEBS, in his official capacity as Twin Falls County Prosecuting Attorney; IDAHO STATE BOARD OF MEDICINE; IDAHO STATE BOARD OF NURSING; and IDAHO STATE BOARD OF PHARMACY,

Respondents,

and

SCOTT BEDKE, in his official capacity as Speaker of the House of Representatives of the State of Idaho; CHUCK WINDER, in his official capacity as President Pro Tempore of the Idaho State Senate; and the SIXTY-SIXTH IDAHO LEGISLATURE,

Intervenors-Respondents.

A hearing was held before the Idaho Supreme Court in Docket Nos. 49615-2022 and 49817-2022 on August 3, 2022, where counsel for the parties presented argument on the issues identified in this Court's June 30, 2022, Order Setting Hearing; therefore, after due consideration,

THIS COURT ORDERS AS FOLLOWS:

1. Petitioners' request to stay the enforcement of I.C. § 18-622 in Docket No. 49817-2022 is DENIED.
2. The stay of the enforcement of Senate Bill 1309 entered by the Court on April 8, 2022 in Docket No. 49615-2022 is VACATED.
3. The Court retains these matters and will not assign them to a district court for the development of a factual record under I.A.R. 5(d).
4. The three cases now pending before us, Docket Nos. 49615-2022, 49817-2022, and 49899-2022, are consolidated for purposes of oral argument and opinion only. All documents filed by the parties shall continue to be filed in the separate, individual case files, and bear the docket number of only the case where the document is filed.
5. As the Court previously ordered in Docket No. 49615-2022, Docket Nos. 49817-2022 and 49899-2022 shall also be expedited. Respondents and Intervenor-Respondents shall file Answers and supporting Briefs in both cases on or before August 19, 2022. Petitioners shall file Reply Briefs on or before August 26, 2022.
6. Oral argument on the merits of the three consolidated cases, Docket Nos. 49615-2022, 49817-2022, and 49899-2022, shall be held on September 29, 2022 at 9:00 A.M. Petitioners shall have sixty minutes to present their oral arguments and shall be entitled to reserve some portion of that time at their discretion for rebuttal. Respondents and Intervenor-Respondents shall collectively have sixty minutes to present their oral arguments. Counsel for Respondents and Intervenor-Respondents shall advise the Clerk of the Court prior to oral argument how they intend to split the time between them. Respondents and Intervenor-Respondents may choose to cede all or a portion of their designated time to the other party, if any.

7. A copy of this Order shall be filed in each of the three consolidated cases, Docket Nos. 49615-2022, 49817-2022, and 49899-2022.

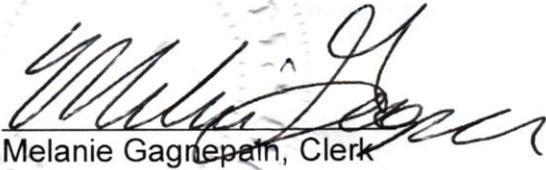
Dated August 12, 2022.

By Order of the Supreme Court



G. Richard Bevan, Chief Justice

ATTEST:



Melanie Gagnepain, Clerk

cc: Counsel of Record